

REMARKS

Favorable reconsideration of this application, as amended, is respectfully requested.

Claim 11 has been canceled without prejudice to the underlying subject matter. Without acceding to the outstanding § 102 and § 103 rejections, Claims 1-10 and 12 have been amended to more clearly to recite certain distinctive features of the invention. Claims 13-26 have been added. Applicants respectfully submit that, at least as presently amended, the claims distinguish patentably from the prior art.

Matsubara (US 6,493,271 B1), which is the basis for the outstanding rejections, discloses a semiconductor device including an electrically erasable and programmable nonvolatile memory having a plurality of memory blocks. However, Matsubara fails to disclose a nonvolatile memory including a first area having a plurality of blocks, each block having a plurality of units, each unit having a fourth area in which bits to manage user data or first data are stored and a fifth area in which the user data or first data are stored, as recited in independent Claims 1, 16 and 26. It follows, of course, that Matsubara further fails to teach or suggest the additionally recited features concerning the

writing of first or second bits in the fourth area in relation to the status of the fifth area.

Claims 1, 16 and 26 thus clearly distinguish patentably from Matsubara. Moreover, none of the remaining references, taken either singly or in combination, is seen to teach or suggest the aforementioned features of Claims 1, 16 and 26.

Accordingly, in view of the amendments presented herein, and for the reasons explained in the preceding remarks, Applicants submit that this application is in condition for allowance.

A Notice of Allowance is respectfully solicited.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account.

If any extension of time is required in connection with the filing of this paper and has not been requested separately, then such extension is hereby requested.

Respectfully submitted,

December 17, 2004

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